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6 **UNITED STATES BANKRUPTCY COURT**
7 **SOUTHERN DISTRICT OF CALIFORNIA**

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9 In re
10 DANA AARON LINETT,

11 Debtor.
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13 CASE NO. 19-05831-LA11
14 Chapter 11
15 STATUS REPORT FOR STATUS
16 CONFERENCE AND VARIOUS
17 OTHER MATTERS
18 DATE: April 1, 2021
19 TIME: 2:00 p.m.
20 DEPT.: Two
21 JUDGE: Hon. Louise DeCarl Adler

22 The Debtor, Dana Aaron Linett (the “Debtor”) respectfully submits the following Status
23 Report. As the Court is aware, the Debtor has previously filed various status conference reports
24 and has updated the Court regarding the various reporting and administrative requirements
25 required of the Debtor on filing a chapter 11 bankruptcy. The only matters still pending are the
26 Debtor’s operating reports. As of today, the Debtor is current on all operating reports, having
27 timely filed its February report prior to March 20, 2021. In addition, the Debtor is informed and
believes that he is current on U.S. Trustee’s Fees. Finally, the Debtor believes he is now current
on the support payments that he continues to be obligated to make under the cash collateral order
entered by this Court.

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1 In the meantime, through counsel the Debtor has been in ongoing discussions with
2 Barbara Linett on a potential liquidating plan. The parties continue to meet and confer regarding
3 a liquidating plan that will be agreeable to both parties and that would treat all creditors in
4 accordance with the requirements of the Bankruptcy Code. A comprehensive liquidating trust
5 has been exchanged and the parties are working on language changes. However, because a
6 couple of issues remain, the Debtor and Barbara Linett, through their counsel, believe more time
7 is needed to finalize those matters. Most changes being considered are likely to be mutually
8 agreeable. A small number of items are more contentious and will require further discussions,
9 perhaps a return to mediation for a final resolution. Debtor was also contacted by U.S. Bank's
10 counsel indicating that U.S. Bank may have some comments or concerns. The Debtor will work
11 with U.S. Bank to resolve any of its concerns. Lastly, it appears that the Court of Appeal is
12 getting close to rendering a decision on the Dana Linett appeal.

13 As progress continues to be made, the Debtor and Barbara Linett would respectfully
14 request that the status conference be continued again, for a period of two to four weeks to allow
15 the Debtor and Barbara Linett to attempt to finalize the trust agreement. As this matter is of
16 utmost important, the other matters currently on calendar for April 1, 2021, the disclosure
17 statement hearing, the hearing on Debtor's objection to the claim of Julia Garwood, Barbara
18 Linett's motion to suspend the adversarial action pending between the Debtor, Barbara Linett
19 and U.S. Bank, the stats conference on that adversarial matter and all other mattes currently
20 scheduled, may also be continued. Debtor's counsel will be prepared to appear at the status
21 conference to discuss the status of discussions and/or to answer any questions the Court may
22 have, if necessary. Alternatively, the Debtor and Barbara Linett's counsel would support having
23 the matters continued without the need for a hearing. In order to move all matters scheduled for
24 April 1, 2021, the Debtor would have had to discuss, prepare and have executed a number of
25 different stipulations and proposed orders. It seems more administratively efficient to file this
26 status report and request that the Court continue the pending matters for April 1, 2021 by
27 tentative ruling or after considering any additional status updates to be provided at the April 1,
28 2021 hearing. Counsel are also prepared to address the Court at the scheduled hearing.

1 Dated: March 25, 2021

2 /s/ John L. Smaha

3 John L. Smaha, Esq.

4 Gustavo E. Bravo, Esq.

5 *Attorneys for Debtor and Debtor-in-Possession,*

6 Dana Aaron Linett

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6 **UNITED STATES BANKRUPTCY COURT**
7 **SOUTHERN DISTRICT OF CALIFORNIA**

8
8 **PROOF OF SERVICE**

9 Case No. 19-05831-LA11

10 In re Dana Aaron Linett

11 I am employed in the City of San Diego, California. I am over the age of 18 and not a party to the
12 within action. My business address is 2398 San Diego Avenue, San Diego CA 92110.

13 On March 25, 2021, I caused to be served the following document(s) described as:

14 1. **STATUS REPORT FOR STATUS CONFERENCE AND VARIOUS OTHER**
15 **MATTERS**

16 U.S. TRUSTEE
17 Department of Justice
18 880 Front Street, Ste. 3230
19 San Diego, CA 92101

20 [X] **(BY MAIL)** I served the individual named by placing the documents in a sealed envelope. I then
21 placed it for collection and mailing with the United States Postal Service this same day, at my address
22 shown above, following ordinary business practice.

23 [X] **(To Be Served by the Court via Notice of Electronic Filing (“NEF”)).** Under controlling Local
24 Bankruptcy Rules(s) (“LBR”), the document(s) listed above will be served by the court via NEF and
25 hyperlink to the document. On **March 25, 2021**, I checked the CM/ECF docket for this bankruptcy
26 case or adversary proceeding and determined that the following person(s) are on the Electronic Mail
Notice List to receive NEF transmission at the e-mail address(es) indicated and/or as checked below:

27
27 **Gustavo E. Bravo:** gbravo@smaha.com
Michael D. Breslauer: mbreslauer@swsslaw.com, wyones@swsslaw.com
Theron S Covey: tcovey@raslg.com, CAECF@tblaw.com
Sean C Ferry: sferry@raslg.com, bkyecf@rasflaw.com;sferry@ecf.courtdrive.com
Thomas B. Gorrill: tom@gorillalaw.com, r53431@notify.bestcase.com
Michael Koch: MLKoch@live.com, lblaw7@gmail.com;r40511@notify.bestcase.com
Byron B. Mauss: bmauss@swlaw.com, idelgado@swlaw.com
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s.feuerstein@usdoj.gov

1 John Smaha: jsmaha@smaha.com,
2 U.S. Trustee: gbravo@smaha.com;mdawson@smaha.com;jteague@smaha.com
 ustp.region15@usdoj.gov

3 I declare under penalty of perjury under the laws of the State of California that the foregoing is
4 true and correct. Executed on **March 25, 2021**, San Diego, California.

5 *A. Dawswon*
6 Amelda M. Dawswon

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